

Sixth Appellate District

San Jose, California

MONDAY, APRIL 17, 2006

H027959 THE PEOPLE v. RODRIGUEZ

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed April 17, 2006

H027073 LAM RESEARCH CORPORATION v. DALLAS SEMICONDUCTOR CORP.
et al.

H027366 LAM RESEARCH CORPORATION v. DALLAS SEMICONDUCTOR CORP.
et al.

H028003 LAM RESEARCH CORPORATION v. MAXIM INTEGRATED PRODUCTS,
INC.

The judgment and award of costs in favor of Lam are affirmed. The award of costs in favor of Maxim is affirmed. Respondent Lam in appeal No. H027073 and No. H027366 to have costs on appeal. Respondent Maxim in appeal No. H028003 to have costs in that appeal. (not published)

(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed April 17, 2006

TUESDAY, APRIL 18, 2006

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and W. Magsaysay, Deputy Clerk.

H029124 PEOPLE v. DIAZ

Cause called and argued by Stacy Saetta appearing for Appellant and by Martin Kaye, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H027795 FLORES, et al. v. KENDALL

Cause called and argued by James F. Tritt appearing for Appellants and respondent Prescott J. Kendall appearing in propria persona. Cause ordered submitted. Court adjourns.

H028866 MARCUS on Habeas Corpus

The petition for writ of habeas corpus is granted. The order of the superior court dated March 8, 2005, finding petitioner guilty of one count of contempt is annulled. The superior court is directed to issue an order requiring that any fine petitioner paid in connection with the contempt order be returned to petitioner. (published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed April 18, 2006

Sixth Appellate District

San Jose, California

Tuesday, April 18, 2006 (continued)

H028332 In re Marriage of BAREKET & MARCUS

The portion of the appeal pertaining to the order set forth in paragraph 17 of the Judgment Following Trial on Reserved Issues filed November 5, 2004, is dismissed. The Judgment Following Trial on Reserved Issues filed November 5, 2004, is reversed and remanded to the temporary judge with directions to recalculate the base monthly child support payment set forth in paragraph 3, omitting the hardship deduction from the calculation. The parties shall bear their own costs on appeal. (not published)

(Premo, J.; We concur: Rushing, P.J., Bamattre-Manoukian, J.)
Filed April 18, 2006

H028294 In re the Marriage of BOONE & DING

The order denying the motion to vacate the stipulated judgment is affirmed. Boone's motion for sanctions is denied. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed April 18, 2006

H028699 MATRIXX INITIATIVES, INC. v. DOE, et al.; BARBARY COAST CAPITAL MANAGEMENT, et al.

The order is affirmed. (not published)
(Elia, Acting P.J.; We concur: Bamattre-Manoukian, J., Duffy, J.)
Filed April 18, 2006

H028397 PEOPLE v. OLVERA

By the Court:

On the court's own motion, the submission order in the above-entitled matter dated March 3, 2006, is hereby vacated. The matter will be resubmitted upon disposition in People v. Torres (2005) 133 Cal.App.4th 1359 (review granted September 15, 2004) now pending before the California Supreme Court.

Dated: April 18, 2006 Elia, Acting P.J.

H028218 DING v. BOONE, et al.

The order granting attorney fees is affirmed. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed April 18, 2006

The following case is submitted this date:

H027620 PEOPLE v. LORETO A.

Sixth Appellate District

San Jose, California

WEDNESDAY, APRIL 19, 2006

H028444 FOSTER v. WESTERN LAW CONNECTION, INC., et al.

The appeal is dismissed. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed April 19, 2006

H028864 BRANCIFORTE HEIGHTS, LLC, v. CITY OF SANTA CRUZ, et al.

The order directing issuance of a writ of mandate is reversed. Respondent shall bear costs on appeal. (published)
(Elia, Acting P.J.; We concur: Bamattre-Manoukian, J., Duffy, J.)
Filed April 19, 2006

H028805 CAGNO v. SOUKOULIS, et al.; AMERICA'S FUNDING SOURCE, INC. v. CAGNO; CAGNO v. KEYPOINT CREDIT UNION, et al.

The order is affirmed. Costs on appeal, except for those pertaining to the motion to dismiss, are awarded to Cagno. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Mihara, J.)
Filed April 19, 2006

THURSDAY, APRIL 20, 2006

H029125 PEOPLE v. PEREZ

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Rushing, P.J., Elia, J.)
Filed April 20, 2006

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and S. Nasson, Deputy Clerk.

H028579 O'GRADY, et al. v. SUPERIOR COURT; APPLE COMPUTER, INC.

Cause called and argued by Kurt Opsahl appearing for Petitioners and by Craig Williams appearing for amicus curiae Bear Flag League and by George Riley appearing for Real Party in Interest and by Dan Bagatell appearing for amicus curiae Intel Corporation. Cause ordered submitted. Court adjourns.

The following case is submitted this date:

H029599 In re MELISSA C.; D.F.C.S. v. TED C.

H028078 PEOPLE v. GORDON

The judgment is affirmed. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)
Filed April 20, 2006

Sixth Appellate District

San Jose, California

Thursday, April 20, 2006 (continued)

H028833 STATE BOARD OF EQUALIZATION v. SUPERIOR COURT OF SANTA CLARA COUNTY; BARNESANDNOBLE.COM, LLC

Let a peremptory writ of mandate issue directing the superior court to vacate its order denying the motion to transfer and to enter a new order granting the motion. The stay is dissolved. The Board shall recover its costs as the prevailing party. (published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)

Filed April 20, 2006

H028143 PEOPLE v. SULLIVAN

The order is affirmed. (not published)

(Mihara, J.; We concur: Rushing, P.J., Elia, J.)

Filed April 20, 2006

H028484 PEOPLE v. WESSON

The judgment is affirmed. (published)

(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed April 20, 2006

FRIDAY, APRIL 21, 2006

H028719 PEOPLE v. ANDERSON

The judgment is reversed and the matter is remanded to the trial court for the limited purpose of recalculating defendant's custody credits. (not published)

(McAdams, J.; We concur: Rushing, P.J., Mihara, J.)

Filed April 21, 2006

H028010 DOE, et al. v. FOE

The appeal is dismissed as untimely under rules 2 and 3 of the California Rules of Court. Respondent is the prevailing party entitled to costs under rule 27(a)(1) and (2) of the California Rules of Court. (not published)

(Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)

Filed April 21, 2006

The following case is submitted this date:

H026217 PEOPLE v. HOFSEIER